

# Exhibit 1

HIGHLY CONFIDENTIAL  
VIDEORECORDED DEPOSITION OF DANIEL DeBACKER  
San Francisco, California  
Wednesday, February 14, 2024  
Volume I

21           Reported by:  
22            CHRIS TE SELLE  
23           CSR No. 10836  
24           Job No. 6394359  
25           PAGES 1 - 228

HIGHLY CONFIDENTIAL  
February 14, 2024-DANIEL DeBACKER

1 specifically.

10:53:49

2 Q. Do you know why you were sending him this  
3 information on the Brocade Extreme acquisitions?

4 A. Given the information here, Extreme letter  
5 to customers, Extreme FAQ, so, Extreme letter to 10:54:10  
6 costumers, the Extreme FAQ, the Ed Meyercord blog  
7 and the Ed Meyercord interview, it would be to  
8 inform the customer of the status of what's going to  
9 happen, what's going on.

10 (Reporter clarification.) 10:54:36

11 Q. Did you inform any other customers?

12 A. I'm sure I did.

13 Q. In a similar manner?

14 MR. PRABHAKAR: Objection. Form.

15 THE WITNESS: Most likely. 10:54:53

16 (Exhibit 133 was marked for identification  
17 by counsel.)

18 BY MR. WOOD:

19 Q. This will be 133. It's another Extreme  
20 document, and there is an attachment, which we'll 10:55:24  
21 mark 134.

22 (Exhibit 134 was marked for identification  
23 by counsel.)

24 MR. PRABHAKAR: While counsel is marking the  
25 document, I want to note for the record that 10:55:59

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Veritext Legal Solutions  
Calendar-CA@veritext.com 866-299-5127

Case 3:20-cv-00451-CEA-DCP Document 380-2 Filed 04/03/24 Page 3 of 5 PageID #:  
17115

1 Exhibits number 128, 129, and 130 were documents 10:56:03  
2 with Broadcom Bates numbers, meaning that they were  
3 produced by Broadcom and were marked outside counsel  
4 eyes only. Those, under the PO, arguably, the  
5 witness and other Extreme's counsel present in the 10:56:25  
6 room, in-house counsel present in the room, do not  
7 have permissions to see those documents.

8 Accordingly, for now, we have sequestered the  
9 documents from the witness, and counsel for Extreme  
10 and plaintiffs will follow up any procedure under 10:56:46  
11 the PO later, but, for now, the witness hasn't seen  
12 129 and 130 and is no longer in possession of them.

13 BY MR. WOOD:

14 Q. All right. So, 133 is Bates number  
15 EXTREME-00690936, and then the attachment is 10:57:05  
16 EXTREME-00690938.

17 So, this is a, the main document is a  
18 meeting invitation from Stuart Smolen to Christopher  
19 Remlin, Eric Broockman, Manjunath Gowda, Liz  
20 Scandizzo, and Katy Motiey, with a copy, Jennifer 10:57:52  
21 Sipes. It's dated August 9, 2017.

22 Who is Stuart Smolen, do you know?

23 A. I do not know.

24 Q. Christopher Remlin?

25 A. I do not know that name either. 10:58:12

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

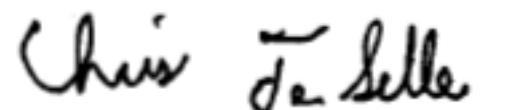
4 That the foregoing proceedings were taken  
5 before me, at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were duly sworn; that a record  
8 of the proceedings was made by me using machine  
9 shorthand which was thereafter transcribed under my  
10 direction; that the foregoing transcript is a true  
11 record of the testimony given.

12 Further, that if the foregoing pertains to the  
13 original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [ ] was [ ] was not requested.

16 I further certify I am neither financially  
17 interested in the action nor a relative or employee  
18 of any attorney or party to this action.

19 IN WITNESS WHEREOF, I have this date subscribed  
20 my name.

21  
22 Dated: February 19, 2024

23   
24

25 CHRIS TE SELLE

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